

REMARKS

Applicant requests favorable reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks.

Claims 1, 3-5, 7-9, and 11-14 are now pending in the application, with Claims 1, 5, and 9 being independent. Claims 2, 6, and 10 have been cancelled. Claims 1, 3, 5, 7, 9, 11, and 12 have been amended to even more succinctly define the invention and/or to improve their form. Claims 13 and 14 are new. Support for the amendments and new claims can be found throughout the originally-filed application, including, for example, in the originally-filed claims and at page 4, lines 22-27 of the specification. Thus, Applicant submits the amendments and new claims include no new matter.

Claims 9-12 are rejected in the Office Action under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Specifically, the Office Action asserts these claims are directed to a computer product merely including computer programming steps, which the Office Action non-statutory subject matter.

Applicant respectfully traverses this rejection. Nevertheless, without conceding the propriety of the rejection and solely to expedite prosecution, Applicant has amended these claims to now recite a computer program “stored on a computer-readable medium.” Applicant submits that such a recitation renders the recited computer program structurally and functionally interrelated to the medium, and, accordingly, the claims recite statutory subject matter. See MPEP § 2106.01 (noting that when functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory since use of technology permits the function of the descriptive material to

be realized). Thus, Applicant submits that the rejection under 35 U.S.C. § 101 should be withdrawn.

Claims 1, 4, 5, 8, 9, and 12 are rejected in the Office Action under 35 U.S.C. § 102(e) as being anticipated by Sugimoto (U.S. Publication No. 2003/0043392). Claims 2, 3, 6, 7, 10, and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sugimoto in view of Hanyu (U.S. Publication No. 2003/0047099).

Applicant respectfully traverses the rejection. Nevertheless, without conceding the propriety of the rejection and solely to expedite prosecution, Applicant has amended independent Claims 1, 5, and 9 to clarify the distinctions between the invention recited therein and the cited references. To this end, Applicant submits Claims 1, 5, and 9 are allowable over the cited references, for at least the following reasons.

Claim 1 recites an image forming apparatus comprising, inter alia, a processing unit for applying reduction processing, which suppresses amount of colorant forming a thin line of an object using a result of discrimination by a discrimination unit. Claim 5 recites an image forming method comprising a processing step, and Claim 9 recites a computer program stored on a computer-readable medium comprising code of a processing step, which both include suppression of amount of colorant forming a thin line, similar to the feature recited in Claim 1.

The Office Action asserts Sugimoto discloses an image forming apparatus comprising, inter alia, a processing unit for applying a reduction processing which suppresses the amount of colorant to a thin line in a graphic. Specifically, the Office Action cites to the disclosure at paragraphs [0066], [0068] and [0069] of Sugimoto as disclosing the adjustment of a toner save level and controlling the resolution level of a thin line.

Applicant respectfully submits, however, that Sugimoto does not teach or suggest applying a reduction processing that suppresses the amount of colorant forming a thin line contained in an object using a discrimination by a discriminating unit, as recited in Claims 1, 5, and 9. In fact, Sugimoto appears to disclose the exact opposite, that is, not applying a reduction processing to a thin line contained in an object. For example, paragraph [0068], which is specifically referred to in the Office Action, Sugimoto discloses that the draw-attribute-based toner save level adjusting module 16 executes a process of restraining toner save with respect to a small character, a thin line and a fine dot which are less than predetermined values. Moreover, at paragraph [0155], Sugimoto discloses that the brightness of colors used, not the amount of toner, is reduced when forming thin lines. Thus, Sugimoto discloses the opposite of Applicant's claimed suppression of amount of colorant forming a thin line contained in an object: Sugimoto discloses that amount of toner is not suppressed in thin lines.

Applicant also notes the disclosure at paragraph [0069] of Sugimoto is not equitable to Applicant's claimed suppression of colorant. In Claim 1, 5, and 9 of the present application, the suppression of colorant is based on a result of discrimination of a type of object. On the other hand, Sugimoto, at paragraph [0069] discloses a toner save level adjustment module 17 which operates based on print-resolution, not on the type of object.

Applicant further submits the secondary citation to Hanyu fails to cure the deficiencies of Sugimoto. Hanyu is cited in the Office Action as suggesting that an amount of colorant can be specified by a user. Assuming, arguendo, that Hanyu discloses the features described in the Office Action and is properly combinable with Sugimoto, Applicant still submits that Hanyu does not disclose the feature of Applicant's claimed invention of suppressing the amount of

colorant forming a thin line contained in an object using a discrimination by a discriminating unit.

For at least the foregoing reasons, Applicant submits that Sugimoto and Hanyu, whether taken individually or collectively, fail to teach or suggest the image forming apparatus recited in Claim 1, the image forming method recited in Claim 5, or the computer program stored on a computer-readable medium recited in Claim 9, or the present application.

Claims 3, 4, 7, 8, and 11-14 are either directly or indirectly dependent from independent Claims 1, 5, and 9, and are thereby allowable by virtue of their dependency and in their own right for further defining the invention. Further individual consideration of the dependent claims is requested.

In view of the above amendments and remarks, it is respectfully submitted that the pending claims are allowable over the references of record, and that the application is in condition for allowance.

Favorable reconsideration and early passage to issue of the application are earnestly solicited.

It is believed that no fee is required for this Amendment. However, the Commissioner is hereby authorized to charge any fee which may be deemed necessary in connection with this paper to Deposit Account No. 06-1205.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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